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OCT 31 2001

OFFICE OF PETITIONS

In re Application of :
William E. Alborn, Jr., et al. :
Application No. 09/833,647 :
Filed: April 18, 2001 :
For: PROCESS FOR PREPARING LIPID II :

ON PETITION

This is a decision on the petition under 37 CFR 1.183 filed August 17, 2001, requesting waiver of the requirement in 37 CFR 1.217(c) that petitioners concurrently submit with a redacted copy of the application, *inter alia*, a certified copy of each foreign-filed application that corresponds to the application for which a redacted copy is submitted.

The petition to waive the requirements of 37 CFR 1.217(c) is **GRANTED** to the extent that petitioners are permitted to concurrently submit an uncertified copy of international application PCT/US 01/12637 with the redacted copy of the above-identified application and subsequently submit the certified copy of international application PCT/US 01/12637 in lieu of concurrently submitting a certified copy of international application PCT/US 01/12637 with the redacted copy of the above-identified application.

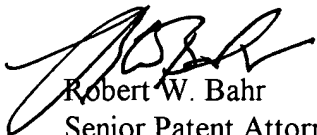
Petitioners assert, *inter alia*, that international application PCT/US 01/12637 corresponds to the above-identified application and was filed in the United States Patent and Trademark Office (USPTO) when acting as a PCT Receiving Office, but that petitioners were unable to obtain a certified copy of international application PCT/US 01/12637 from the USPTO within the period set forth in 37 CFR 1.217(a). Petitioners submitted an uncertified copy of international application PCT/US 01/12637 on August 17, 2001 (with the submission otherwise required by 37 CFR 1.217(c)), and submitted a certified copy of international application PCT/US 01/12637 on September 27, 2001.

Under the circumstances of the above-identified application (*i.e.*, the application for which a certified copy is required under 37 CFR 1.217(a) is an application filed in the USPTO when acting

as a PCT Receiving Office), it is appropriate to waive the requirement in 37 CFR 1.217(c) that petitioners concurrently submit a certified copy of international application PCT/US 01/12637.

Telephone inquiries regarding this decision should be directed to Robert W. Bahr at (703) 305-8850.

The application file is being forwarded to the Office of Initial Patent Examination for further processing.

A handwritten signature in black ink, appearing to read 'RWB', is positioned above the printed name and title.

Robert W. Bahr
Senior Patent Attorney
Office of the Deputy Commissioner
for Patent Examination Policy

rwb